IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1269 OF 2005

The Thane Municipal Corporation ...Petitioner
V/s.
M/s.Shamshad Nagar Co-operative Housing Society Ltd. ...Respondent

Shri R.S. Apte for the Petitioner.
Shri Sanjay Shukla i/b. Shri A.A. Mirza for the Respondent.

CORAM : V.M. KANADE, J.

DATED : MARCH 5, 2007

P.C. :-

1. Heard Shri Apte, learned Counsel for the petitioner and Shri Shukla, learned Counsel for the respondent.

2. The petitioner-Thane Municipal Corporation is challenging the impugned order passed by the Civil Judge, Junior Division, Thane, in R.C.S. No.394/2003 whereby the Corporation is restrained from evicting the members of the plaintiff society from the suit buildings. Against the said order, the appeal was preferred before the IVth Additional District Judge, Thane, who by order dated 1st October, 2004 dismissed

the misc.appeal filed by the appellant.

3. It is an admitted position that this interim order is operating in favour of the respondent for more than four years. In the circumstances, I do not see any reason to interfere with the impugned order. The trial Court is, however, directed to decide the suit filed by the respondent, as expeditiously as possible, and in any case within a period of six months. Needless to state that petitioner-defendant should maintain status quo till the pendency of the suit.

. Writ petition is disposed of.

(V.M. Kanade, J.)